

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** ( Not for submission under 37 CFR 1.99)

|                        |                   |            |
|------------------------|-------------------|------------|
| Application Number     |                   | 10757250   |
| Filing Date            |                   | 2004-01-14 |
| First Named Inventor   | Levine et al.     |            |
| Art Unit               | 2192              |            |
| Examiner Name          | Kendall, Chuck O. |            |
| Attorney Docket Number | AUS920030488US1   |            |

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|                   | 1       | 6542985       |                        | 2003-04-01 | Johnson et al.                                  |  |
|                   | 2       | 4316245       |                        | 1982-02-16 | Luu et al.                                      |  |
|                   | 3       | 7181723       |                        | 2007-02-20 | Luk et al.                                      |  |
|                   | 4       | 6961925       |                        | 2005-11-01 | Callahan, II et al.                             |  |
|                   | 5       | 5950003       |                        | 1999-09-30 | Kaneshiro et al.                                |  |
|                   | 6       | 5212794       |                        | 1993-05-18 | Pettis et al.                                   |  |
|                   | 7       | 5659679       |                        | 1997-08-19 | Alpert et al.                                   |  |
|                   | 8       | 6006033       |                        | 1999-12-21 | Heisch  |  |

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|--|----|---------|----|------------|------------------|--|
|  | 9  | 6119075 |    | 2000-09-12 | Dean et al.      |  |
|  | 10 | 6189141 | B1 | 2001-02-13 | Benitez et al.   |  |
|  | 11 | 6237141 | B1 | 2001-05-22 | Holzle et al.    |  |
|  | 12 | 6351844 | B1 | 2002-02-26 | Bala             |  |
|  | 13 | 6505292 | B1 | 2003-01-07 | Witt             |  |
|  | 14 | 6631514 | B1 | 2003-10-07 | Le               |  |
|  | 15 | 5794028 |    | 1998-08-11 | Tran             |  |
|  | 16 | 5950009 |    | 1999-09-07 | Bortnikov et al. |  |
|  | 17 | 5950003 |    | 1999-09-07 | Kaneshiro et al. |  |
|  | 18 | 5581778 |    | 1996-12-03 | Chin et al.      |  |
|  | 19 | 5752062 |    | 1998-05-12 | Gover et al.     |  |

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| 20 | 6446029 | B1 | 2002-09-03 | Davidson et al. |  |
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|                    | 8       | AHO et al., "Compilers: Principles, Techniques, and Tools", Addison-Wesley, 1988, pp. 488-497.  | <input type="checkbox"/> |

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|  |   |   |                          |
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|  | 9 | INTEL, "Intel IA-64 Architecture Software Developer's Manual", Revision 1.1, Vol. 4, No. 245320.002, July 2001. | <input type="checkbox"/> |
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☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

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| Signature  | /Gerald H. Glanzman/ | Date (YYYY-MM-DD)   | 2007-03-27 |
| Name/Print | Gerald H. Glanzman   | Registration Number | 25,035     |

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